

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

1 7 1 6 9 5

DATE OF REPORT (DAY-MO-YEAR)
22 January 1990
23 February 1990 T

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or
in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE
ATTENTION ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME William R. O'Neil		RANK Inv.	STAR NO. 86	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 113	
ADDRESS OF INCIDENT 7155 South Sangamon		DATE OF INCIDENT - TIME 18 Oct. 1989 2130		BEAT OF INCIDENT 733	LOCATION CODE* 19		
ACCUSED	NAME 1. Harold Small	RANK P/O	STAR NO. 17496	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 007	
	2. Nathaniel Allen	P/O	17847	[REDACTED]	[REDACTED]	007	
	SEX/RACE D.O.B. 1. M/B [REDACTED] 1955	DATE OF APPOINTMENT 01 July 1985		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE* 01
	2. M/B [REDACTED] 1958	03 Feb. 1986		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01
IF APPLICABLE - DATE ARRESTED/INDICTED		CHARGES		COURT BRANCH	DISPOSITION & DATE		
1.							
2.							
COMPLAINANTS	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE Chgo, Ill.	TELEPHONE [REDACTED]	SEX/RACE F/B	D.O.B./AGE unk.	PHYS. COND. CODE* 01
	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE Chgo, Ill.	TELEPHONE [REDACTED]	SEX/RACE F/B	D.O.B./AGE 69	PHYS. COND. CODE* 01
	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE Chgo, Ill.	TELEPHONE [REDACTED]	SEX/RACE F/B	75	unk.
VICTIMS	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE [REDACTED]	TELEPHONE [REDACTED]	SEX/RACE [REDACTED]	D.O.B./AGE [REDACTED]	PHYS. COND. CODE* [REDACTED]
	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE [REDACTED]	TELEPHONE [REDACTED]	SEX/RACE [REDACTED]	D.O.B./AGE [REDACTED]	PHYS. COND. CODE* [REDACTED]
WITNESSES	NAME [REDACTED]	ADDRESS** [REDACTED]	CITY STATE [REDACTED]	TELEPHONE [REDACTED]	SEX/RACE [REDACTED]	D.O.B./AGE [REDACTED]	PHYS. COND. CODE* [REDACTED]

SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS
The complainant [REDACTED] registered this complaint in person on 18 October 1989, at 1225 hours with Investigator Audrey Driver, star #53 of the Office of Professional Standards. [REDACTED] alleged that on 18 October 1989 at approximately 2100/2130 hours, while at 7155 South Sangamon, several uniformed and civilian dressed officers did the following to [REDACTED] 1) pointed a finger in her face 2) pushed her on the chest causing her to fall on a table, causing the table to break and her to fall to the floor, 3) stood on a chair that was pressed against her leg, 4) was hit in the leg with a baton, 5) kicked in the stomach, 6) handcuffed too tight, 7) verbally abused 8) was dragged by handcuffs up and down stairs and 9) had a gun pointed to her head.

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property - Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES*

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)

C.R. NO.

171695

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
 In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments. The complainant, [REDACTED] in her initial complaint registered with Investigator Driver alleged that several unknown plainclothes and uniformed police officers entered her home and physically abused [REDACTED] as well as [REDACTED]. Attempts to locate [REDACTED] as well as [REDACTED] all met with negative results.

SUMMARY

The victim, [REDACTED] related that while inside of her apartment, she along with [REDACTED] heard noises upstairs and both subjects went to see where the noise was originating. [REDACTED] observed two male white police officers in civilian dress standing on the back porch. [REDACTED] now known to be [REDACTED] was screaming they are trying to get my beeper. The officers had his arms bent under him and [REDACTED] asked them to let go. The officers ignored [REDACTED] and in the meantime other officers arrived on the scene. Three male black police officers in civilian dress arrived as did other male white uniform. [REDACTED] related that a male white police officer in uniform pointed his finger in her face and asked her if she lived there. At this point, he pushed [REDACTED] with both hands on her chest and knocked her onto a kitchen table causing the table to break and [REDACTED] to fall to the floor. [REDACTED] got back up and grabbed the officer's tie and at this point could not relate if the officer did anything to her but she eventually wound up on the floor. [REDACTED] then got up and tripped over a chair, and the chair fell against her leg and the same officer that pushed her stood on the leg of the chair that was against her leg. Another officer kicked her in the stomach but she could not determine who the offender was. [REDACTED] was handcuffed and related that the cuffs were placed on her in a tight manner. The same officer then pulled her up and down some stairs. [REDACTED] further alleged that she was called a "Fat Bitch" by the same officer.

ATTACHMENTS	INVESTIGATIVE REPORTS— SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS	INVESTIGATIVE REPORTS— SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS	PHYSICAL EVIDENCE	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE
10	2,4	37,41,44,47,51,55,73,79 80		83

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

Allegations #1 thru #12 NOT SUSTAINED against Officers Rotkovich, Tristano, Dunn Lombard, and Bradley.

Allegations #1 thru #12 UNFOUNDED against Officers Allen and Small.

FINDINGS—RECOMMENDATIONS

APPROVED: Investigator Dennis Jones, star #60

APPROVED: Administrative Review Keith W. Griffiths, star #16

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	25 Oct. 1989	DATE COMPLETED (DATE OF THIS REPORT)	22 Jan. 1990	ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)	88 Days
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Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ACCUSED OFFICERS
CONTINUED:

Nicholas Tristano	Police Officer, star #17374 Unit 710 M/W D.O.B. [REDACTED] 1958 D.O.A. [REDACTED] Employee [REDACTED] On Duty Sworn (03)
Richard Lombard	Police Officer star #17432 Unit 710 M/W D.O.B. [REDACTED] 1960 D.O.A. [REDACTED] Employee [REDACTED] On Duty Sworn (01)
Scott Rotkovich	Police Officer star #11256 unit 707 M/W D.O.B. [REDACTED] 1965 D.O.A. [REDACTED] Employee [REDACTED] On Duty Sworn (01)
William Dunn	Police Officer, star #6105 Unit 007 M/W D.O.B. [REDACTED] 1959 D.O.A. [REDACTED] Employee [REDACTED] On Duty Sworn (01)
Clarence Bradley	Police Officer star #16662 Unit 710 M/B D.O.B. [REDACTED] 1948 D.O.A. [REDACTED] Employee [REDACTED] On Duty Sworn (01)

VICTIMS
CONTINUED:

[REDACTED] F/B [REDACTED] 1975 (01)
" " " " " " M/B [REDACTED] 1972 (01)

ALLEGATIONS
CONTINUED:

Victim, [REDACTED] alleged that the accused 10) knocked him down to the floor,
to [REDACTED] 11) placed a gun to her head and 12) verbally abused her.

INVESTIGATION
CONTINUED:

[REDACTED] was then placed inside of a squadrol and transported to the 002nd District.

An arrest report for [REDACTED] indicated that she was arrested for battery in that during the course of an arrest of [REDACTED], [REDACTED] was asked to step back into her apartment and for no apparent reason struck a Chicago Police Officer in the mouth.

[REDACTED] related [REDACTED] was banging on the door for her to hurry and open it. By the time [REDACTED] got to the door, the police were already inside and grabbed [REDACTED] knocked him down and attempted to pull his hands from his waist. The officers managed to free his hands which were holding a gun. As [REDACTED] made an attempt to close the door, a male white police officer pointed a gun to her head and at this point, [REDACTED] came on the scene and inquired as to what is going on. A male white officer grabbed [REDACTED] and pushed her across a table. A fold up chair fell on [REDACTED] and one of the officers stood on the chair. All subjects were then handcuffed and transported to the 007th District. [REDACTED] was not arrested.

An arrest report for [REDACTED] indicates that he was arrested for U.U.W. in that he was observed walking in the direction of the police carrying a gun. [REDACTED] was ordered to drop the gun but instead he ran with the officers in pursuit. A struggle ensued and the weapon was recovered and [REDACTED] was placed under arrest.

No canvass was conducted as the incident happened inside of the apartment.

Officer Nicholas Tristano related that he was working a three man squad car with Officers Lombard and Bradley. They monitored a call that two officers were calling for an assist at 7155 South Sangamon. Upon their arrival, they went to the rear of the house and called out for the officers. The officers responded by stating they were on the second floor. Officer Tristano observed a male black now known to be [REDACTED] hunched over with the two officers each holding on to his arm. Officer Tristano went to the front and one of the officers shouted "Watch, out he's got a gun". Officer Tristano went to the side and at this point, he observed two female blacks standing in a doorway. Fearing for their safety as well as his, he stood in front of them. A female black now known to be [REDACTED] attempted to get past Officer Tristano and was instructed by Officer Tristano to stay inside. [REDACTED] at this time punched Officer Tristano in the mouth. Officer Tristano's mouth was bleeding and at this point, [REDACTED] again made an attempt to go past Officer Tristano by grabbing hold of both of his arms. Officer Tristano pushed [REDACTED] back into the apartment and as [REDACTED] was trying to push Officer Tristano into the bannister, Officer Tristano and [REDACTED] went forward causing [REDACTED] to fall over a kitchen

INVESTIGATION
CONTINUED:

table causing same to break and subsequently falling to the floor. [REDACTED] was placed into handcuffs and transported into the 007th District. Officer Tristano denied the allegations.

Officers Bradley and Lombard related basically the same in essence, but not verbatim in that when they arrived they observed a police officer struggling with a male black. Officers Lombard and Bradley went to the assistance of the officer in that they grabbed hold of the subject's arms thus making the subject drop the weapon. [REDACTED] was placed under arrest. Officers Lombard and Bradley denied the allegations.

Officers Scott Rotkovich and William Dunn working together related basically the same in essence but not verbatim in that they observed a male black now known to be [REDACTED] walking down the street carrying in his hand a blue steel revolver. They announced their office and [REDACTED] ran toward a house. Officer Rotkovich pursued the subject to a rear porch. Officer Rotkovich unholstered his weapon and ordered the subject to drop his [REDACTED] refused. Officer Rotkovich went toward [REDACTED] at this point came toward Officer Rotkovich in a threatening manner. Officer Rotkovich grabbed [REDACTED] by both arms causing him and Officer Rotkovich to fall to the floor. Officer Dunn at this point came on the scene and assisted Officer Rotkovich. In the meantime two female blacks now known as [REDACTED] began to interfere with the arrest of [REDACTED] was observed striking Officer Tristano in his face. Officer Tristano grabbed [REDACTED] fell to the floor. Contact with Officer Tristano and [REDACTED] was lost and a few moments later, [REDACTED] came out in handcuffs. Both [REDACTED] were transported into the 007th District. Officer Rotkovich and Officer Dunn denied the allegations.

Officers Nathaniel Allen and Harold Small related basically the same in essence but not verbatim in that while working together, they responded to a call for assistance at 7155 South Sangamon. Upon their arrival, they observed several other police vehicles and a slow down had been given via the COS. Officers Allen and Small related that they had no contact or assisted in any manner with the arrest of [REDACTED] They further stated they did not see any weapons drawn on the scene. Officers Allen and Small denied the allegations.